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MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

APRIL 5, 2005

Recent discussions concerning the disposal of solid waste in Los Angeles County have raised concerns about the exporting of trash from the City of Los Angeles to the Antelope Valley. Residents in Antelope Valley are concerned, with good reason, about local landfills accepting trash from outside of the Antelope Valley. In addition to the fundamental question of fairness, trucks driving from Los Angeles to Antelope Valley increase traffic congestion and worsen air quality.

The Antelope Valley (14 Freeway) already experiences severe congestion. Adding vehicles that haul trash, both the smaller residential trash trucks and the semi-tractor trailers that haul waste from transfer stations to landfills, presents a serious safety threat to motorists. This would be avoided if haulers would utilize local landfills. Commuters in particular are already frustrated with congestion, and the County should take steps to prevent the adding of trucks that delay their trips and endanger their safe passage.

The City of Los Angeles has not planned well for its long-term solid waste disposal needs. City officials have closed or severely constrained most landfills in the City, and City staff has performed only minimal investigation of alternatives, such as rail-haul. The majority of solid waste generated in the City of Los Angeles is disposed in landfills in County unincorporated areas. The residents of Antelope Valley should not be expected to shoulder the burden of solid waste disposal for the residents of the City of Los Angeles, particularly given the City's failure to address the issue on its own.

- M O R E -

MOTION

BURKE \_\_\_\_\_

YAROSLAVSKY \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

MOLINA \_\_\_\_\_

There are two landfills in the Antelope Valley. One of these, the Lancaster Landfill, is located within County unincorporated areas and is subject to the County's land-use and permitting authority. The other landfill, the Antelope Valley Landfill, is located in the City of Palmdale, which is therefore subject to the City's land-use and permitting authority. Officials of both the County of Los Angeles and the City of Palmdale need to research the origins of trash going to these two landfills and take appropriate steps to insure that the landfills are being utilized in a prudent manner.

I, THEREFORE, MOVE that the Board of Supervisors:

- Direct the Interim Director of the Department of Public Works to provide data concerning the origin of trash going into the Lancaster Landfill over the past 12 months;
- Direct the Interim Director of the Department of Public Works and the County Counsel to research issues relative to a waste-shed or excluding waste generated in the City of Los Angeles from being dumped in the Lancaster Landfill, including the feasibility, process, and legal issues, and report back to the Board of Supervisors within 30 days.
- Direct the Director of Regional Planning to report back to the to the Board of Supervisors within 30 days concerning the status of the pending CUP modification application filed by the owner of the Lancaster Landfill.

# # #



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: EP-2

May 5, 2005

TO: Each Supervisor

FROM: Donald L. Wolfe *Donald L. Wolfe*  
Acting Director of Public Works

### **BOARD MOTION OF APRIL 5, 2005, SYNOPSIS 14 IMPORTATION OF SOLID WASTE FROM THE CITY OF LOS ANGELES TO THE LANCASTER LANDFILL**

On April 5, 2005, your Board instructed Public Works to provide data concerning the origin of trash going into the Lancaster Landfill over the past 12 months; and, in conjunction with County Counsel, research issues relative to a waste-shed or excluding waste generated in the City of Los Angeles from being dumped in the Lancaster Landfill including the feasibility, process, and legal issues and report back to your Board within 30 days with our findings.

The following is a summary of our findings:

#### **Origin of Solid Waste Disposed at the Lancaster Landfill**

Attachment A summarizes the most recent waste origin data submitted by Waste Management, Inc., the landfill owner/operator, which covers the period of January through December 2004. This information is submitted to Public Works on a quarterly basis in compliance with the State Disposal Reporting System regulations. The data shows that approximately 426,000 tons of solid waste was disposed at the Lancaster Landfill in 2004. The largest contributor to this tonnage was the City of Los Angeles, disposing approximately 204,000 tons of solid waste during the year (47.8 percent of the total disposed at the Landfill). The City of Lancaster was the second largest contributor, disposing approximately 140,000 tons of solid waste (32.8 percent of the total). The Cities of Palmdale and Santa Clarita and the unincorporated areas of the County contributed approximately 5,000 tons (1.3 percent), 600 tons (0.1 percent), and 22,000 tons (5.1 percent), respectively, of the total disposed at the landfill while the

remaining 55,000 tons (12.9 percent) originated from other jurisdictions within the County of Los Angeles.

In comparison, in 2003 approximately 375,000 tons of solid waste was disposed at the Lancaster Landfill. The increase in the disposal amount in 2004 is due to the increase of waste shipped from the City of Los Angeles which increased from 139,000 tons in 2003 to 204,000 tons in 2004.

### **Waste Origin Restrictions**

There are several landfills in the County of Los Angeles that have incorporated waste-shed restrictions or excluded waste generated from other jurisdictions. These restrictions fall into three general categories: (a) restrictions imposed through the land use permit process via conditions of approval, (b) restrictions imposed through the adoption of an ordinance establishing a waste-shed or excluding waste from specific jurisdictions, and (c) restrictions imposed administratively by the facility owners. These categories are described in more detail below:

#### **a) Restrictions via the Land Use Permit Process**

Waste origin restrictions have been imposed in the past at landfills within the County through the land use permit process via conditions of approval. For example, the Conditional Use Permit (CUP) for the Sunshine Canyon Landfill—County Extension [Case No. 86-312(5) approved by the Board of Supervisors on November 22, 1993] originally contained a clause, Condition 10(d) which restricted the acceptance of solid waste from the City of Los Angeles under certain conditions. Specifically, Condition 10(d) provided that if the City did not grant a permit to expand the portion of Sunshine Canyon Landfill within the City within one year, then “the permittee shall thereafter exclude waste from City-operated trucks from any portion of the landfill within County territory.” The CUP also provided for the exclusion of “all waste collected within the corporate limits of the City and transported in City-operated or commercial trucks” if the City had not granted a landfill permit for Sunshine Canyon within 18 months.

This City-use restriction was subsequently removed from the permit pursuant to an agreement that settled pending lawsuits between the County, the City of Los Angeles, and Browning-Ferris Industries, Inc.

Currently, there is a pending application with the County of Los Angeles Department of Regional Planning for a revision of the CUP for the Sunshine Canyon Landfill to allow the owner/operator to, among other



things, combine the existing landfill in the unincorporated County territory and the landfill on the City of Los Angeles' portion of the site (currently under development) into a single operation. Draft conditions of approval for the project have been prepared which stipulate that,

"[if] the City of Los Angeles denies the permittee's request to complete any of the phasing designs specified in the City approval granted in Ordinance No. 172933 of the City of Los Angeles, Condition B.2.d, the permittee shall thereafter exclude all waste collected within the corporate limits of the City and transported in City-operated or commercial trucks under contract with the City, from any portion of the landfill within County territory."

Another example is the Burbank Landfill which is owned and operated by the City of Burbank. The CUP for the Landfill (CUP 2000-16) restricts the acceptance of waste to only that which is generated within the City of Burbank.

b) Restrictions via Ordinance

Waste origin restrictions have also been imposed at several landfills in the County of Los Angeles through the adoption of an ordinance. The following are examples of such ordinances adopted in the past. All but one of these ordinances applies to landfills owned by the public entity adopting the ordinance.

- Calabasas Landfill (County Unincorporated Area) – This Landfill is owned by the County and operated by the County Sanitation Districts of Los Angeles County. On February 13, 1991, the Board of Supervisors adopted Ordinance No. 91-0003 amending Title 12 of the County Code to provide that the Calabasas Landfill may not be used for refuse originating outside a certain identified waste-shed area (Attachment B). Chapter 12.48 defines the use of the Landfill and delineates the waste-shed area.
- Puente Hills Landfill (County Unincorporated Area) – This Landfill is owned and operated by the County Sanitation Districts. On October 28, 1981, the Districts' Board of Directors adopted an ordinance prohibiting disposal of any refuse at the Puente Hills Landfill site which has its origin within any city having a population in excess of 2,500,000 and which either owns or is entitled to the

use or possession of at least one operating sanitary landfill (Attachment C).

- Solid Waste Facilities Operated by the Sanitation Districts – On July 25, 1984, the Districts' Board of Directors adopted Ordinance No. 7 prohibiting disposal of any refuse at the Districts' solid waste facilities which has its origin within any other county having a population in excess of 1,500,000 and which either owns or is entitled to the use or possession of at least one operating sanitary landfill (Attachment D). On July 14, 2003, Ordinance No. 7A was adopted amending Ordinance No. 7, Regulation of Extent of Use (Attachment E). The amendment increased the population restriction from 1,500,000 to 2,000,000.
- Scholl Canyon Landfill (City of Glendale) – This Landfill is owned by the City of Glendale and the County and is operated by the Sanitation Districts. On October 6, 1987, the Glendale City Council adopted Ordinance No. 4780 (Chapter 8.56 of the City of Glendale Municipal Code) which defined a waste-shed area for the Scholl Canyon Landfill (Attachment F).
- Sunshine Canyon Landfill (City of Los Angeles) – On December 10, 1999, the City of Los Angeles approved Zoning Ordinance No. 172933 amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map. Condition B.1., Limitation/Prohibition on Uses, of the [Q] Qualified Conditions of Approval, states, "No waste shall be accepted for disposal in the landfill originating from outside of the County of Los Angeles."

c) Restrictions Imposed Administratively

In the past, public agencies that own/operate landfills in the County of Los Angeles have also established waste origin restrictions administratively. This includes:

- Brand Park Landfill – This Landfill is located in the City of Glendale and is owned and operated by the City. Use of this Landfill is limited to the City of Glendale Department of Public Works.



- San Clemente Landfill – Use of this Landfill is limited to the United States Navy which owns and operates the landfill.
- Pitchess Honor Rancho Landfill – This is a small closed Landfill previously operated by the Los Angeles County Sheriff's Department. The Landfill's use was limited to waste generated by the Peter J. Pitchess Detention Center.

### **Legal/Feasibility Issues**

Legal issues which affect the feasibility of imposing waste origin restrictions at the Lancaster Landfill, which is privately owned and operated, will be addressed by County Counsel via separate correspondence.

### **Other Considerations**

Due to the limited landfill space within the County of Los Angeles and continued increases in waste generation (resulting from population and economic growth), there is now a disposal capacity shortfall in the County of Los Angeles. Although the County has been a net exporter of solid waste for many years, its waste exports to locations outside the County have dramatically increased over the last three years (we exported in excess of 7,000 tons per day in 2003 compared to 2,500 tons per day in 2000) and this trend is expected to continue in the future.

The free flow of solid waste across county boundaries has been beneficial to the County of Los Angeles, the cities in our County, and to other cities and counties throughout the State. Therefore, to minimize any potential retaliatory action from adjacent counties and maintain the free flow of waste across county boundaries, we recommend that any proposed restriction on the origin of the waste accepted at the Lancaster Landfill be narrowly tailored so as to limit the restriction to City of Los Angeles waste, and only under certain conditions, such as the City failing to permit disposal capacity within its jurisdiction.



Each Supervisor  
May 5, 2005  
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If you have any questions regarding this report, please contact me or your staff may contact Fred M. Rubin, Assistant Deputy Director, at (626) 458-3500, or Carlos Ruiz, Assistant Division Engineer, at (626) 458-3502.

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Attach.

cc: Chief Administrative Office  
County Counsel  
Executive Office ✓  
Department of Regional Planning